

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 18, 2022**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Daniel Joshua Hunka Case Number: 0980 2:13CR00008-WFN-62
 Address of Offender: [REDACTED] Spokane, Washington 99208
 Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge
 Date of Original Sentence: May 12, 2015
 Original Offense: Conspiracy to Distribute a Controlled Substance, 21 U.S.C. § 846
 Original Sentence: Prison - 114 months; Type of Supervision: Supervised Release
 TSR - 60 months
 Asst. U.S. Attorney: Stephanie A. Van Marter Date Supervision Commenced: April 14, 2022
 Defense Attorney: John Barto McEntire, IV Date Supervision Expires: April 13, 2027

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 6/3/2022, 9/1/2022, 9/8/2022, 9/16/2022 and 9/30/2022.

On April 18, 2022, Daniel Hunka reported to the U.S. Probation Office for the purpose of completing a supervision intake. The conditions of his supervised release were reviewed with him and he signed a copy of his judgment indicating an understanding of those conditions.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
10	<p>Standard Condition # 7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.</p> <p>Supporting Evidence: It is alleged that Daniel Hunka violated the terms of his supervised release by being in possession of a controlled substance, Fentanyl and methamphetamine, on or about October 4, 2022.</p> <p>On October 4, 2022, the United States Marshals Service (USMS) executed a warrant for Mr. Hunka's arrest. This warrant was issued on September 30, 2022, in response to another alleged violation of supervised release.</p> <p>Surveillance was conducted at Mr. Hunka's residence. Eventually he was observed running out of his apartment slider door and jumping into a vehicle. The USMS were able to pull the vehicle over and arrest Mr. Hunka who was reported to have attempted to flee the area.</p>

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During the search, the USMS located numerous pills, suspected to be “mexi-pills”, which are known to contain a mixture of Fentanyl and methamphetamine. On Mr. Hunka’s person, the USMS seized a bag of suspected mexi- pills that were located in his underwear. In addition, a bag was found that contained more suspected mexi-pills, to include several that appeared to be made to look like candy. The bag contained various prescriptions, some of which had Mr. Hunka’s name on them. There was a scale and baggies, all commonly used for drug distribution. There were pre-loaded syringes, with suspected testosterone and steroids. In addition, it should be noted, that a BB gun was also located in the bag. This BB gun looked like a real hand gun.

The Drug Enforcement Administration (DEA) responded to the scene and took possession of the suspected drugs. Mr. Hunka was booked into the Spokane County Jail on the USMS warrant.

Charges related to drug possession have not yet been filed, but are expected.

- 11 **Special Condition #14:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: It is alleged that Daniel Hunka violated the terms of his supervised release by failing to engage in substance abuse treatment as required in September 2022 or since.

On September 1, 2022, Mr. Hunka enrolled in outpatient substance abuse treatment with Riverside Recovery. He was required to attend two group sessions per week and attend two sober support meetings per week. Riverside Recovery advised that Mr. Hunka could attend a weekly mental health appointment to satisfy one of his weekly group sessions at Riverside Recovery. He was also required to participate in random drug testing as well.

Riverside Recovery advised that Mr. Hunka was noncompliant for the month of September 2022 as he failed to attend the required amount of group sessions, he did not provide documentation of attending mental health appointments and he did not submit documentation of the required amount of sober support meetings. It was then reported he failed to appear for a random urinalysis on October 3, 2022.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/18/2022

s/Melissa Hanson

Melissa Hanson
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

10/18/2022

Date